

# Lincoln



# Nebraska's Capital City

February 19, 2002

Mayor Wesely and City Council  
City of Lincoln  
City County Building  
Lincoln, NE

Mayor Wesely and Members of the City Council:

An investigation has been made regarding the application of Kong Liquor Inc., d.b.a. Kong Liquor, 1401 North 56<sup>th</sup> requesting a class D liquor license for this location.

Michael Budzinski, current owner has divided the ownership of this business with his brother David Budzinski. They request that David Budzinski be approved as the manager of this liquor license.

Background information on David Budzinski is as follows:

David Budzinski was born in Loup City, Nebraska. He served in the United States Armed Forces 1966 – 1997 receiving an honorable discharge. He attended the University of Nebraska graduating in 1996.

David Budzinski has been employed at Kong Liquor since 2000.

Background information on Michael Budzinski will be omitted, as he is the current approved manager.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

THOMAS K. CASADY, Chief of Police



**Police Department**  
575 South 10th Street / Lincoln, Nebraska 68508 / Phone: 402-441-7204 / Fax: 402-441-8492 / Website: [www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)  
A nationally accredited law enforcement agency



Liquor License Business Report / Completed by Inv Fosler Date: \_\_\_\_\_

DBA: Kong Liquor

ADDRESS 1401 N 56TH PHONE 464-5616

TYPE OF INVESTIGATION:

PURCHASE UPGRADE EXPANSION NEW

OWNER MANAGER OTHER \_\_\_\_\_

TYPE OF BUSINESS off-sale

CLASS: A B C D I J K CATERING OTHER \_\_\_\_\_

OWNERSHIP CORPORATION PARTNERSHIP INDIVIDUAL

PURCHASE PRICE \_\_\_\_\_ PROPERTY EQUIPMENT VALUE \_\_\_\_\_

AMOUNT FINANCED PAID SOURCE \_\_\_\_\_

COLLATERAL N/A COSIGNER(S) \_\_\_\_\_

LEASE AGREEMENT 5 yr 1888

EST INCOME %FOOD N/A %LIQUOR 100

COMMERCIAL INDUSTRIAL RESIDENTIAL

TRAFFIC moderate PARKING off-street

READY FOR OPERATION: YES NO, EST DATE \_\_\_\_\_

FOOD SERVICE N/A # OF EMPLOYEES F/T 0 P/T 5

DOES LICENSE COMPLY WITH LEGAL DISTANCES: YES

NO

EST SEATING N/A EST # DAILY CUSTOMERS 150

HOURS OF OPERATION Sun 12am-10pm M-THUR 9am-12:00 SS 9:00

HUMAN RIGHTS COMMISSION CHECKED YES NO N/A

1:00 PM

Liquor License Investigation

Business (DBA) KONG LIQUOR

☒ Manager

☒ Owner

Other \_\_\_\_\_

Name: DAVID BUDZINSKI

US Citizen ?

☒ Yes

No

Has applicant ever been cited for liquor law violations ? ☒ No Yes

Explain \_\_\_\_\_

Does applicant have an interest in another liquor license ? No

☒ Yes

Explain CORNHUSKER BOTTLE

Is spouse qualified to hold a license ? Yes

No

☒ N/A

How is applicant if not an owner to be paid ? Salary

Hourly

How many hours will applicant be at the establishment ? 20 +

Any other employment ? ☒ No Yes, explain \_\_\_\_\_

Any previous experience with a liquor license ? ☒ Yes

No

Any criminal convictions ? ☒ No Yes

Comments \_\_\_\_\_

Is applicant a property owner in Lincoln ?

☒ Yes

No

Is applicant involved in any civil litigation ?

☒ No

Yes

Comments \_\_\_\_\_

☒ Photo

☒ Records Check

☒ References

Comments \_\_\_\_\_

Interview Date 2/19/02

## STATE OF NEBRASKA

Rusor

See date 2-23-02  
P.H. 3-11-02

Mike Johanns  
Governor

City Clerk  
County/City Bldg  
555 S 10th  
Lincoln NE 68508

## NEBRASKA LIQUOR CONTROL COMMISSION

Forrest D. Chapman

Executive Director

February 12, 2002

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814

TRS USER 800 933-7352 (TTY)

Kong LIQUOR INC  
dba Kong LIQUOR  
1401 No. 56, #105106  
CLASS D A2-016613

38

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Licensing Division

Enclosures

Rhonda R. Flower  
Commissioner

Bob Logsdon  
Chairman

R.L. (Dick) Coyne  
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

FORM 35-4001  
REV. 12 99

City Clerk

3/14 + 3/27

Replacement

**APPLICATION FOR LICENSE**

Nebraska Liquor Control Commission  
PO Box 95046, 301 Centennial Mall South  
Lincoln, NE 68509-5046

<http://www.nol.org/home/NLCC/>  
Phone: (402) 471-2571  
Fax: (402) 471-2814

D54552  
RECEIVED

**INSTRUCTIONS:** Include: 1. Applicable fees payable to Liquor Control Commission 2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application (not required of corporations or spouse(s) who file an affidavit of no interest with application, Commission form 4178 3. Corporations must include copy of articles of incorporation as filed with the Secretary of States office in the state of Nebraska 4. Commission checklist, form 4251 5. Fingerprint cards and processing fees (are required of individuals, all partners and spouses. Corporate applicants must file for CEO/Manager & stockholders/member holding over 25% stock/interest. 6. All applications must be typewritten or printed clearly. 7. Submit in Triplicate

**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH**

Class of License (Check applicable class)	Registration Fee	License Fees	Corporate Surety Bond
<input type="checkbox"/> A Beer, On Sale Only – Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> F Beer, On Sale Only – Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> B Beer, Off Sale Only – Indicate Inside or Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> J Wine, Beer, On Sale Only – Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> I Spirits, Wine, Beer, On Sale Only – Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input checked="" type="checkbox"/> D Spirits, Wine, Beer, Off Sale Only – Inside Corporate Limits	\$45.00	\$150.00	exempt
<input type="checkbox"/> DI Spirits, Wine, Beer, Off Sale only – within extraterritorial zoning jurisdiction	\$45.00	\$150.00	exempt
<input type="checkbox"/> C Spirits, Wine, Beer On & Off Sale – Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> M Bottle Club (Spirits, Wine, Beer, on Sale)	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> H Nonprofit Corporation	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> K Wine Only, Off Sale	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> O Boat	\$45.00	\$ 50.00	exempt
<input type="checkbox"/> V Manufacturer of Beer, Wine & Distilled Spirits	\$45.00	Varies \$100 to \$1,000	\$10,000 min.
<input type="checkbox"/> X Wholesale Liquor	\$45.00	\$500.00	\$ 5,000 min.
<input type="checkbox"/> W Wholesale Beer	\$45.00	\$250.00	\$ 5,000 min.
<input type="checkbox"/> Y Farm Winery	\$45.00	\$250.00	\$ 1,000 min.
<input type="checkbox"/> L Craft Brewery (Brew Pub)	\$45.00	\$250.00	\$ 1,000 min.

**TYPE OF APPLICATION****CORPORATE SURETY BOND INFORMATION**

Type of application being applied for  
(place appropriate number in box)

3

- 1= Individual License requires  
Form 1 to be attached.  
2= Partnership License requires  
Form 2 to be attached.  
3= Corporate License requires  
Form 3 and 4 and Manager  
Application be attached.

Bond Company – for Classes L V W X Y only

Start Date Month/Day/Year

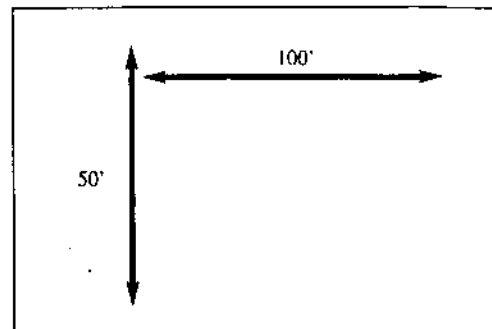
Bond Number

**SECTION A – LOCATION INFORMATION – Must be completed by all applicants**

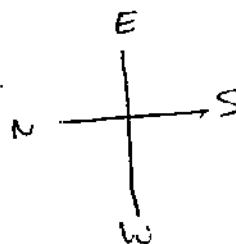
Trade Name (name of business) <b>Kong Liquor, Inc dba Kong Liquor</b>	Telephone Number at premise to be licensed <b>402-464-5616</b>
1) Street Address of Proposed licensed premise <b>1401 N. 56<sup>th</sup> Suite 106 Suite 105 &amp;</b>	2) Mailing Address for receipt of Liquor Control Commission mailings <b>Same</b>
City <b>Lincoln</b>	County <b>LANCASTER</b>
Zip Code <b>68507</b>	

## DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building.



Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement approximately 30' x 50' at the East end.



ONE floor only

### SECTION B

### OTHER INFORMATION REQUIRED

	Yes	No	Explanation/Comments
<p><b>I. READ CAREFULLY.</b> Answer completely and accurately.</p> <p>Has anyone who is a party to this application, or their spouse, <u>ever</u> been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor or violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.</p>		✓	

	Yes	No	Explanation/Comments
2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).		✓	ALREADY own Kong Liquor. CLASS D #40814
3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.		✓	
4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.	✓		Pinnacle Bank Lincoln, Nebraska
5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.		✓	
6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.		✓	
7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?		✓	
8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.		✓	
9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.		✓	
10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.			Cornhusker Bank Michael + David 1600 W. corner per phone call Lin 68505 2/12/02 JLV
11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.			Kan's liquor Kong liquor DK 10390 1401 N. 5th 1350 N. 48th Lincoln 68504 Lin. 68504 CLASS D #40814
12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.			DAVID J. Budzinski 50 hours / week
13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products.			WORKS full time @ Kong FOR PART 12 years. Will take managers course MAY 2002
14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership, if leased submit a copy of the lease covering the entire license year. (Documents must show title or lease held interest in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed).			Leased (Lease Attached) Lease expiration date: 4/30/03
14. When do you intend to open for business?			MAY 1, 2002 (changing to new Corporation - bring in brother as owner)

16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
Michael (Sandra) Budzinski	1994	2002	1400 Zachary Circle Lin. Co. 68507
" "	1989	1994	7101 Willow Lin. Co. 68507
DAVID J. Budzinski	2000	2002	832 Brighton Ave
" "	1997	2000	Phoenix / Coaticum
" "	1994	1997	FEI / Mason TX
" "	1991	1994	Franklin, GE

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waives(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

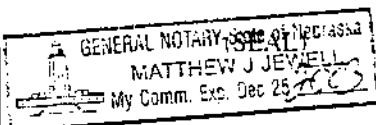
Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders/members (holding more than 25% of the stock or interest), officers, directors and spouses must sign. Full names only, initials not acceptable.

sign here \_\_\_\_\_  
 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_

Subscribed in my presence and sworn to before me this 8 day of February 2002

In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.



sign here

Matthew Jewell  
 Notary Public Signature



# Application for Corporate Manager

**\*Must Be A Nebraska Resident\***

**Please submit in Triplicate**

Return to: Nebraska Liquor Control Commission, PO Box 95046

301 Centennial Mall So., Lincoln NE 68509

Phone: (402) 471-2571 Fax: (402) 471-2814 Web address: <http://www.nol.org/home/NLCC/>

RECEIVED

FEB 11 2002

LIQUOR LICENSE INFORMATION				
NAME OF LICENSED CORPORATION <i>Kong Liquor, Inc</i>		CLASS & LICENSE NUMBER <i>D-</i>		
TRADE NAME OF LICENSED PREMISE <i>Kong Liquor</i>				
STREET ADDRESS OF LICENSED PREMISE <i>1401 N 56<sup>th</sup> Suite 105+106</i>	CITY <i>Lincoln</i>	COUNTY <i>LANCASTER</i>	ZIP CODE <i>68504</i>	
On behalf of the corporation, I designate this individual as corporate manager.				
Signature of Corporate President/CEO: <i>Michael B. [Signature] (Pres)</i>				
APPLICANT INFORMATION (MUST BE 21 OR OVER)				
NAME (LAST, FIRST, MIDDLE, MAIDEN) <i>Budzinski, David</i>	SEX F <input checked="" type="radio"/> M	SOCIAL SECURITY NUMBER	DATE OF BIRTH	PLACE OF BIRTH <i>Lincoln, NE</i>
HOME STREET ADDRESS <i>8050 Lighthouse Ave</i>	CITY <i>Lincoln</i>	COUNTY <i>Lancaster</i>	STATE <i>NE</i>	ZIP CODE <i>68507</i>
HOME TELEPHONE NUMBER <i>(402) 325-0966</i>	BUSINESS TELEPHONE NUMBER <i>(402) 464-5616</i>		DRIVERS LICENSE NUMBER & STATE <i>NE</i>	
SPOUSE'S INFORMATION (IF NOT MARRIED INDICATE NONE)				
FULL NAME (LAST, FIRST, MIDDLE, MAIDEN) <i>N/A Not Married</i>		SOCIAL SECURITY NUMBER		DRIVERS LICENSE NUMBER & STATE
DATE OF BIRTH: <i>per phone call w/ David 2/12/02 JLN</i>		PLACE OF BIRTH:		

**1. READ CAREFULLY** - Answer completely and accurately.

Has anyone who is a party to this application or their spouse, ever been convicted of or plead guilty to any criminal charge? Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☐ YES ☒ NO

**2.** Have you or your spouse ever made application for any liquor license or manager for any liquor license? **IF YES**, for what premise give license number and date.

☐ YES ☒ NO

3. Have you or your spouse ever made a compromise settlement for violation of such laws?

☐ YES ☒ NO

4. Do you, as a manager, have all the qualifications required by any person entitled to hold a Nebraska Liquor License?  
Nebraska Liquor Control Act (§53-131.01)

☒ YES ☐ NO

5. Have you filed fingerprint cards and **PROPER FEES** (if check, made out to the NE State Patrol), with this application?

☒ YES ☐ NO

**LIST PRINCIPAL RESIDENCE FOR PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE**

APPLICANT: CITY & STATE	YEAR FROM TO	SPOUSE: CITY & STATE	YEAR FROM TO
Lincoln, NE	2000 present		
Boston / Chicago	1997 2000		
El Paso, TX (US Army)	1994 1997		
Franklin, GE (US Army)	1991 1994		

**EMPLOYERS - LIST LAST TWO EMPLOYERS**

YEAR FROM TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2000 2002	King Liqueur	Mike Budzinski	402-466-3336
1997 2000	MPRI	GEN Sewall	Unk

**PERSONAL OATH AND CONSENT OF INVESTIGATION - MUST BE SIGNED BY APPLICANT & SPOUSE**

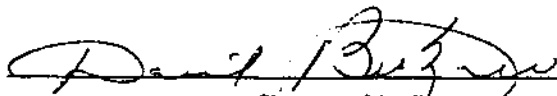
STATE OF NEBRASKA )

) SS  
COUNTY OF )

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec. §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, an affidavit may be attached however, fingerprint cards are still required to be filed.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and inaccurate.



Signature of Applicant

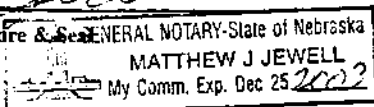
\_\_\_\_\_  
Signature of Spouse (if applicable)

Subscribed in my presence and sworn to before me this 8 day of February 2002

Subscribed in my presence and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_



Notary Signature & Seal



\_\_\_\_\_  
Notary Signature & Seal

# Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

## INSTRUCTIONS:

- 1) Application and application for manager must be typewritten and submitted in triplicate
- 2) Fingerprint cards (2 cards per person) must be submitted for: a) each stockholder owning over 25% of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be completed

RECEIVED

FEB 11 2002

NEBRASKA LIQUOR  
CONTROL COMMISSION

Name of Corporation That Will Hold License. Attach copy of Articles of Incorporation			Total Number of Shares (if corporation)	
Kong Liquor, Inc.			10,000	
Corporate Street Address (1)		Mailing address for receipt of Liquor Control Commission Mailings		Corporate Telephone Number
1401 NO 56th Suite 105/106		same		402-464-5616
City	County	State	Zip Code	
Lincoln	Lincoln	Nebraska	68504	
Name of Registered Agent		Name of Proposed Manager		
David Joseph Budzinski		David Joseph Budzinski		
IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER				
Name	Title		Date of Birth	Social Security Number
Michael James Budzinski	President			
Home Address (1)		State		
7900 Zachary Circle		Nebraska		
City	State	Zip Code	Home Telephone Number	
Lincoln	Neb	68507	402 466-3033	

# Corporation/LLC Application for License - Form 3

PRINCIPLE OFFICERS, DIRECTORS, STOCKHOLDERS, MEMBERS AND SPOUSES				
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title	Number of Shares/ %
NAME Budzinski Michael James			President/Treas	50%
Spouse Name Budzinski Sandra Dork-				0
NAME Budzinski David Joseph			V. Pres / sec	50%
Spouse Name None Not Married			- per phone call w/ David	
NAME			2/12/02 JEN	
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				

(If Necessary, Continue on Separate Sheet)

## Nebraska Liquor Control Commission

Name of Control Corporation

FORM 35-4183  
Page 3  
REV 02/01